

AMENDED IN ASSEMBLY JANUARY 5, 2010

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 391

Introduced by Assembly Member Torlakson

February 23, 2009

An act to amend ~~Section 49085 of 60604 of~~, and to add Section and repeal Section 60649.1 to, the Education Code, relating to ~~public schools~~ pupil assessment.

LEGISLATIVE COUNSEL'S DIGEST

AB 391, as amended, Torlakson. ~~California School Information Services. Pupil assessment: STAR Program.~~

(1) *The Leroy Greene California Assessment of Academic Achievement Act requires the Superintendent of Public Instruction to design and implement a statewide pupil assessment program. The act makes this provision inoperative on July 1, 2011, and repeals it on January 1, 2012.*

This bill would extend the operation of that provision to July 1, 2012, and the repeal date to January 1, 2013.

(2) *The act establishes the Standardized Testing and Reporting Program (the STAR Program), pursuant to which school districts, charter schools, and county offices of education are required to administer achievement tests to each of their pupils in grades 2 to 11, inclusive.*

This bill would require the Superintendent of Public Instruction, on or before April 1, 2011, to contract with an independent evaluator for evaluation of the STAR Program, as specified. The bill would require the independent evaluator to complete a report containing the findings of his or her evaluation. The Superintendent would be required to

provide this evaluation to the Legislature, the Governor, and the State Board of Education on or before November 1, 2011. The bill would require an existing advisory committee to advise the Superintendent on the independent evaluation of the STAR Program, including making recommendations regarding the selection of the independent evaluator and the evaluation parameters. The bill would require the Superintendent to appoint 4 additional members to the advisory committee for these purposes. The bill would require the State Department of Education to use specified federal funds, not exceeding the amount of \$150,000, for the purpose of contracting for the evaluation.

~~Existing law requires the State Department of Education to ensure that the California School Information Services system meets the needs of pupils in foster care and includes disaggregated data on those pupils.~~

~~This bill would make a technical, nonsubstantive change to that provision.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. Section 60604 of the Education Code is amended*
2 *to read:*

3 60604. (a) The Superintendent shall design and implement,
4 consistent with the timetable and plan required pursuant to
5 subdivision (b), a statewide pupil assessment program consistent
6 with the testing requirements of this article in accordance with the
7 objectives set forth in Section 60602. That program shall include
8 all of the following:

9 (1) A plan for producing valid, reliable, and comparable
10 individual pupil scores in grades 2 to 11, inclusive, and a
11 comprehensive analysis of these scores based on the results of the
12 achievement test designated by the state board that assesses a broad
13 range of basic academic skills pursuant to the Standardized Testing
14 and Reporting (STAR) Program established by Article 4
15 (commencing with Section 60640).

16 (2) A method of working with publishers to ensure valid,
17 reliable, and comparable individual, grade-level, school-level,
18 district-level, county-level, and statewide scores in grades 2 to 11,
19 inclusive.

1 (3) Statewide academically rigorous content and performance
2 standards that reflect the knowledge and skills that pupils will need
3 in order to succeed in the information-based, global economy of
4 the 21st century. These skills shall not include personal behavioral
5 standards or skills, including, but not limited to, honesty,
6 sociability, ethics, or self-esteem.

7 (4) A statewide system that provides the results of testing in a
8 manner that reflects the degree to which pupils are achieving the
9 academically rigorous content and performance standards adopted
10 by the state board.

11 (5) The alignment of assessment with the statewide academically
12 rigorous content and performance standards adopted by the state
13 board.

14 (6) The active, ongoing involvement of parents, classroom
15 teachers, administrators, other educators, governing board members
16 of school districts, and the public in all phases of the design and
17 implementation of the statewide pupil assessment program.

18 (7) The development of a contract or contracts with a publisher
19 or publishers, after the approval of statewide academically rigorous
20 content standards by the state board, for the development of
21 performance standards and assessments of applied academic skills
22 designed to test pupils' knowledge of academic skills and abilities
23 to apply that knowledge and those skills in order to solve problems
24 and communicate.

25 (b) The Superintendent shall develop and annually update for
26 the Legislature a five-year cost projection, implementation plan,
27 and timetable for implementing the program described in
28 subdivision (a). The annual update shall be submitted on or before
29 March 1 of each year to the chairperson of the fiscal subcommittee
30 considering budget appropriations in each house. The update shall
31 explain any significant variations from the five-year cost projection
32 for the current year budget and the proposed budget.

33 (c) The Superintendent shall provide each school district with
34 guidelines for professional development that are designed to assist
35 classroom teachers to use the results of the assessments
36 administered pursuant to this chapter to modify instruction for the
37 purpose of improving pupil learning. These guidelines shall be
38 developed in consultation with classroom teachers and approved
39 by the state board before dissemination.

(d) The Superintendent and the state board shall consider comments and recommendations from school districts and the public in the development, adoption, and approval of assessment instruments.

(e) The results of the achievement test administered pursuant to Article 4 (commencing with Section 60640) shall be returned to the school district within the period of time specified by the state board.

~~(f) This section shall become inoperative on July 1, 2011.~~

(f) Notwithstanding Section 60601, this section shall become inoperative on July 1, 2012, and, as of January 1, 2013, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2013, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 2. Section 60649.1 is added to the Education Code, to read:

60649.1. (a) On or before April 1, 2011, the Superintendent shall contract with an independent evaluator, who shall report to him or her, for evaluation of the STAR Program. The evaluation shall be a meta-analysis of existing information and data from the STAR Program based upon all of the following:

(1) Information gathered in field testing and annual administrations of the STAR assessments.

(2) Existing technical reports, peer reviews, and other studies, reports, and evaluations of the STAR Program conducted by or at the request of the department, the Legislature, or the state board.

(3) State and federal requirements.

(4) A review of research-based alternative assessment models.

(5) A review of existing and emerging practices in large-scale assessment from across the nation.

(b) The evaluation shall include, but shall not necessarily be limited to, all of the following:

(1) A report on the results of prior analyses regarding the alignment between the STAR assessments and the full range of the content standards and a determination of whether the STAR Program assesses pupil knowledge in the same manner and at the same level of complexity as expected in the content standards.

(2) An independent analysis of the grade level continuity and vertical articulation of the content standards.

1 (3) *An independent analysis of the ability of the tests to produce*
2 *scores for an individual pupil that can be validly compared from*
3 *year to year.*

4 (4) *An independent analysis of the use of content standards in*
5 *other core curriculum areas for testing items, as applicable.*

6 (5) *A report on the results of prior analyses regarding pupil*
7 *performance, broken down by assessment, grade level, race or*
8 *ethnicity, and end-of-course assessments, including any trends*
9 *that become apparent over time.*

10 (6) *An independent analysis of the degree to which the STAR*
11 *Program complies with professional testing standards and satisfies*
12 *or exceeds state and federal requirements for assessments for each*
13 *grade level.*

14 (7) *An independent analysis of the usefulness of the STAR*
15 *Program in terms of state and local program evaluations.*

16 (8) *An independent analysis of the usefulness of the STAR*
17 *Program in providing individual results and in terms of providing*
18 *a diagnostic assessment for classroom use.*

19 (9) *An independent analysis of the feasibility and cost of the*
20 *development and administration of a diagnostic alternative test*
21 *in grade levels and content standard areas that are not required*
22 *to have an assessment under federal law.*

23 (c) *The report by the independent evaluator containing the*
24 *findings of his or her evaluation shall include, but shall not*
25 *necessarily be limited to, all of the following:*

26 (1) *Recommendations to improve the quality, fairness, validity,*
27 *and reliability of the examinations.*

28 (2) *Recommendations for revisions in design, administration,*
29 *scoring, processing, or use of the examinations to ensure*
30 *compliance with state and federal requirements in an efficient*
31 *manner.*

32 (3) *Recommendations for revisions of the examinations to*
33 *improve grade level continuity and vertical alignment of*
34 *standards-aligned test content and the ability of the tests to produce*
35 *scores for an individual pupil that can be validly compared from*
36 *year to year.*

37 (4) *Recommendations for revisions of the examination to*
38 *improve integration of content standards in other core curriculum*
39 *areas for testing items, as applicable.*

1 (5) *Recommendations to improve the usefulness of the test to*
2 *the state, local educational agencies, schools, teachers, pupils,*
3 *and parents.*

4 (6) *Recommendations regarding revisions that would allow the*
5 *STAR Program to provide pupil-level diagnostic information and*
6 *to provide a diagnostic assessment for classroom use.*

7 (7) *Recommendations regarding alternative diagnostic*
8 *assessments that align with state academic content standards.*

9 (8) *Recommendations regarding alternatives to the current*
10 *testing format to allow the greatest aggregate base for assessing*
11 *districtwide performance on content standards.*

12 (d) *In order to provide the Legislature with adequate*
13 *information to consider reauthorization of the STAR Program, the*
14 *Superintendent shall provide the evaluation to the Legislature, the*
15 *Governor, and the state board on or before November 1, 2011.*

16 (e) *The advisory committee established pursuant to Section*
17 *52052.5 shall advise the Superintendent on the independent*
18 *evaluation by providing all of the following:*

19 (1) *Recommendations regarding the parameters of the*
20 *evaluation.*

21 (2) *Recommendations regarding any request for proposals or*
22 *request for applications used to solicit contract proposals.*

23 (3) *Recommendations regarding the selection of the contractor.*

24 (4) *A review of any reports submitted by the independent*
25 *evaluator, including any midterm reports as well as the final*
26 *evaluation.*

27 (f) *The Superintendent shall appoint four additional members,*
28 *who shall be educators or individuals having expertise in*
29 *large-scale assessment and who shall serve only for the purposes*
30 *of subdivision (f), to the advisory committee established pursuant*
31 *to Section 52052.5.*

32 (g) *The department shall use federal funds made available under*
33 *Title VI of the No Child Left Behind Act of 2001 (20 U.S.C. Sec.*
34 *7301 et seq.), not to exceed one hundred fifty thousand dollars*
35 *(\$150,000), for the purpose of contracting for this evaluation.*

36 ~~SECTION 1. Section 49085 of the Education Code is amended~~
37 ~~to read:~~

38 ~~49085. The department shall ensure that the California School~~
39 ~~Information Services system meets the needs of pupils in foster~~

- 1 ~~care and includes disaggregated data regarding pupils in foster~~
- 2 ~~care.~~

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